

**Proposed Amendment by Cmmr. Mike Ritz 01-20-10**

**CODE OF SHELBY COUNTY, TENNESSEE  
PART II - CODE OF ORDINANCES**

**Chapter 2. Administration**

**Article II. Administration and Finance**

**Division 2. Purchasing Procedures**

**Sec. \_\_\_\_\_. Change orders for capital construction projects.**

(a) For the purposes of this section:

(1) *Scope of the project* means the construction and services that were approved by the board of county commissioners, whether completed in whole or in part, and includes all labor, materials, equipment, and services required to fulfill the contractor's obligations under the contract and the project plans and specifications available and/or referenced by the request for sealed bid.

(2) *Minor change* means a change in the scope of the project which does not involved an adjustment in the total contract price, an extension of time to complete contract performance, or a change that is inconsistent with the intent of the contract or the project plans and specifications available and/or referenced by the request for sealed bid.

(b) All change orders for capital construction projects shall be approved by the board of county commissioners for:

- (1) Any change that exceeds the contingency amount originally approved by the board of county commissioners; or
- (2) Any change that is inconsistent with, or differs from, the original intent and/or scope of the project.

(c) The county engineer shall review and recommend all change orders and shall have the authority to order minor changes.

(d) The county engineer may recommend an allowance for capital construction project change orders as follows:

- (1) An allowance of 1 % to 6 % of the contract amount for contracts in the amount of \$100,000 to \$249,999;
- (2) An allowance of 1 % to 3 % of the contract amount for contracts in the amount of \$250,000 to \$999,999;

- (3) An allowance of 1 % to 1.5 % of the contract amount for contracts in the amount of \$1,000,000 to \$9,999,999;
  - (4) An allowance of 0.5 % to 1 % of the contract amount for contracts over \$10,000,000;  
and
  - (5) For unit price contracts, 7 % of each unit price, except for public works gravel, sand,  
and asphalt.
- (e) The board of county commissioners may approve a change order allowance greater than that authorized by subsection (d) of this section.